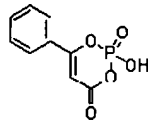


## REMARKS

### Restriction/Election

Applicant hereby elects, with traverse, Group III (Claims 5-7, 11, 16-18 and 22-24).  
Please cancel Claims 1-4, 8-10, 15, 19-21 and 25-50 without prejudice to their filing in a further

application. In order to satisfy the election requirement, Applicants select  (as found in Claim 22 as originally filed) as the single species for search purposes. Inventorship is not affected by the election of Group III.

### Traversal of Restriction/Election

Applicants traverse the restriction requirement (in part) and the election requirement. Applicants bring to the Examiner's attention the restriction requirement issued in US Application Serial No. 09/797,308 (the '308 application)(now US 6,599,889) to which the instant application claims priority. In the '308 application Examiner Solota considered the same 50 claims as pending in the instant application and restricted the claims into 4 groups and did not require Applicants to elect a single species for search purposes. In the '308 application, Applicants selected Group I which included claims directed towards compositions and methods of use of formula I. The Examiner was able to search the claims without the need for a species election and a patent issued for claims directed towards Group I. Because the previous Examiner was able to search the formula I (and was willing to search formula II) without an election of species requirement, there would be no undue burden to search general formula II in the instant application. Applicants respectfully request that the election of species requirement be withdrawn.

Furthermore, because Examiner Solota found that the compositions and methods of the use thereof did not constitute distinct and independent inventions; Applicants respectfully request that Groups III, IV, VI and VIII be combined in the instant application. Groups II and IV in the '308 application overlap with Group III in the instant Restriction Requirement with only the methods of use claims missing from instant Group III. Because the previous Examiner did not find a burden searching the general compositions and their methods of use, Applicants

respectfully submit that there is no burden on the instant Examiner to do the same. Therefore, Applicants request that Claims 5-7, 11, 16-18, 22-24, 29-31, 35-37, 42-44 and 48-50 be searched and examined in the instant application.

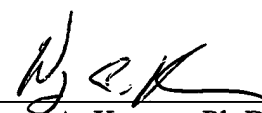
**CONCLUSION**

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date: 10/27/05

By:

  
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